

#3



Beiersdorf 753-KGB
6713-hf-200-271

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : DR. HEINER MAX ET AL.
SERIAL NO. : 10/021,627
FILED : December 12, 2001
FOR : USE OF FOLIC ACID AND/OR DERIVATIVES THEREOF
FOR THE PREPARATION OF COSMETIC OR
DERMATOLOGICAL PREPARATIONS FOR THE
PROPHYLAXIS OF DAMAGE TO DNA INTRINSIC TO THE
SKIN AND/OR FOR THE REPAIR OF EXISTING DAMAGE
TO DNA INTRINSIC TO THE SKIN
ART UNIT : To Be Assigned
EXAMINER : To Be Assigned

April 3, 2002

Hon. Commissioner for Patents
Washington, D.C. 20231

**COMMUNICATION RE: FILING OF DECLARATION ON
A DATE LATER THAN THE FILING DATE OF THE APPLICATION**

Sir:

This is in response to the Notice to File Missing Parts of Application under 37 CFR 1.53(b) dated January 22, 2002, in the above-identified application. A copy of said Notice is attached hereto.

It is requested that the papers submitted herewith be joined up with the papers previously filed in this Application.

Applicant is:

☐ a small entity

☐ verified statement attached

☒ other than a small entity

☐ verified statement filed

DR. HEINER MAX ET AL
USSN 10/021,627

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231 on April 3, 2002.

NORRIS McLAUGHLIN & MARCUS, P.A.

By  _____

[] five months \$1,960.00 \$980.00

Fee \$110.00

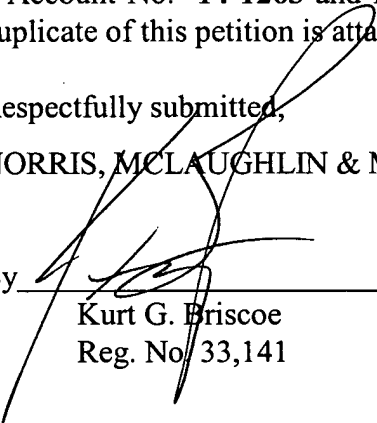
4. A Response is filed herewith.

5. Charge the petition fee to Deposit Account No. **14-1263** and for any additional fee required or credit for any excess fee paid. A duplicate of this petition is attached.

Respectfully submitted,

NORRIS, MCLAUGHLIN & MARCUS, P.A.

By


Kurt G. Briscoe
Reg. No. 33,141

KGB/ja

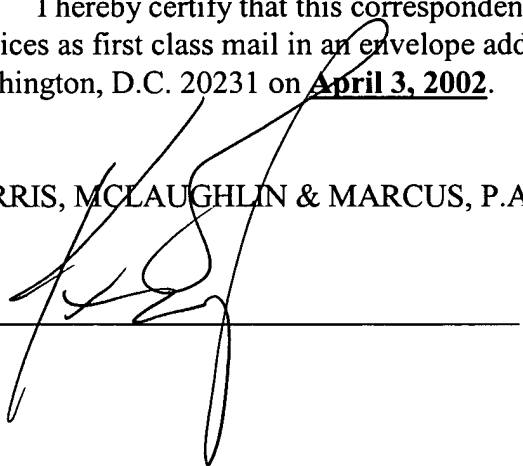
220 East 42nd Street - 30th Floor
New York, New York 10017
Tel.: (212) 808-0700
Fax: (212) 808-0844

CERTIFICATE OF MAILING

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NORRIS, MCLAUGHLIN & MARCUS, P.A.

By



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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application Number	10/021,627		
	Filing Date	December 12, 2001	
	First Named Inventor	Dr. Heiner MAX et al	
	Group Art Unit	To Be Assigned	
	Examiner Name	To Be Assigned	
Total Number of Pages in This Submission		Attorney Docket Number	100718-357/Beiersdorf 753-KGB

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip(PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) - (please identify below): -Copy of Notice to File Missing Parts - Combination Declaration and Power of Attorney
Remarks:		

SIGNATURE OF APPLICANT/ ATTORNEY, OR AGENT

Firm or Individual name	Kurt G. Briscoe, Esq. NORRIS McLAUGHLIN & MARCUS, P.A.
Signature	Reg. No. 33,141
Date	April 3, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to : Hon. Commissioner of Patents, Washington, D.C. 20231 on this date: April 3, 2002

Typed or printed name	Kurt G. Briscoe
Signature	Date April 3, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Hon. Commissioner of Patents, Washington, DC 20231.

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**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT****\$240.00****Complete if Known**

Application Number	10/021,627
Filing Date	December 12, 2001
First Named Inventor	Dr. Heiner Max et al
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No.	100718-357/Beiersdorf 753-KGB

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account:Deposit
Account
Number

14-1263

Deposit
Account
Name

Norris McLaughlin & Marcus

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					\$0.00

2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims		Fee from below		Fee Paid
Total Claims	-20** =	0	X	
Independent Claims	-3** =	0 <td>X</td> <td>0.00</td>	X	0.00
Multiple Dependent				0.00

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					\$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non - English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110.00
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)**\$240.00****SUBMITTED BY**

Name (Print/Type)	Kurt G. Briscoe	Registration No. (Attorney/Agent)	33,141	Telephone	(212) 808-0700
Signature		Date	April 3, 2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

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UNITED STATES PATENT AND TRADEMARK OFFICE

APR 11 2002

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/021,627	12/12/2001	Heiner Max	100718- /Beiersdorf 753-K

CONFIRMATION NO. 9248

 27384
 KURT BRISCOE
 NORRIS, MCLAUGHLIN & MARCUS, P.A.
 220 EAST 42ND STREET, 30TH FLOOR
 NEW YORK, NY 10017

FORMALITIES LETTER



OC000000007336170

Date Mailed: 01/22/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Tel

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/12/2002 SDENB081 00000081 141263 10021627

01 FC:105

130.00 CH